



DOCKET NO. 2390.1006-009

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENT**

In re Application of: Philip P. Carvey, William J. Dally and Larry R. Dennison

Application No. 10/021,205

Filed: December 7, 2001

Confirmation No.: 9706

For: Composite Trunking

The owner, SoapStone Networks, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,359,879 B1. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The terminal disclaimer fee under 37 CFR 1.20(d) is enclosed.

The undersigned is an attorney or agent of record.

10/15/8  
Date

10/21/2008 HDEMESS1 00000018 10021205

02 FC:1814

140.00 OP

James M. Smith  
James M. Smith  
Registration No. 28,043  
Telephone: (978) 341-0036  
Facsimile: (978) 341-0136